

REMARKS

This communication is responsive to the Non-Final Office Action mailed on May 1, 2009, and having a shortened statutory period for response set to expire on August 3, 2009, given that August 1, 2009, falls on a Saturday. This response is being filed within the shortened statutory period for response. In the event that additional fees are required with respect to this communication, the Commissioner is hereby authorized to charge any such fees, or credit any overpayment, to Paul & Paul deposit account number 16-0750. In addition, if any extensions of time are required for the filing of this response, the Commissioner may regard this communication as a petition for any such extension of time and charge the required extension of time fee to Paul & Paul deposit account number 16-0750.

This amendment corrects minor errors in the specification. The amendment to claim 7 corrects the lack of antecedent basis for “the second element” in that claim and to make the claim consistent with the disclosure. Claim 14 has been amended to render it identical to claim 14 as was submitted in the preliminary amendment of February 17, 2004, by deleting text that was inadvertently added to claim 14 in the amendment of June 30, 2006. In the response filed on June 30, 2006, to the Notice of Non-Compliant Amendment, there was no intention to alter the scope of the claims in the preliminary amendment but only to comply with the requirements of 37 C.F.R. § 1.173. However, while cutting and pasting text from original claim 1 into amended claim 14, some superfluous text was inadvertently introduced into amended claim 14 giving rise to the error. That error is now corrected by this amendment. In addition, superfluous text

similar to that removed from claim 14, but with respect to the second torque element, is hereby removed from original claim 7.

In addition, the applicant is filing herewith a Consent of the Assignee form and a Supplemental Declaration as required by the Examiner. The signature of inventor David A. Lowry could not be obtained. Accordingly, a petition to waive the requirement for Mr. Lowry's signature, supporting evidence, and the required petition fee are also attached.

Further and favorable consideration of the application on the merits is respectfully requested.

Respectfully submitted,

August 3, 2009
Date

Order No. 7526

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